

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 28, 29, 31-48, and 51-63 are presently active in this case; Claims 28, 35, 43-46, 51, 58, and 60 having been amended, Claims 1-27, 30, 49 and 50 having been canceled without prejudice previously.

In the outstanding Official Action, Claims 46-52 and 55-63 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 28, 29, 35, 42-54, and 57-63 were rejected under 35 U.S.C. §102(e) as being anticipated by Hazelton et al (U.S. Pat. No. 6,252,234). Claims 31-34 and 36-41 were indicated as being allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims.

Firstly, Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 31-34 and 36-41.

Regarding the 35 U.S.C. § 112, second paragraph, rejection to Claims 46-52 and 55-63, in the previous Office Action mailed April 24, 2003, Claims 46-52 and 55-60 had been rejected under 35 U.S.C. §112 due to the unclearness of the structural relationship between a first supporting frame and a counter stage, and a stage and a stage base, etc. In the Response filed August 25, 2003, the fourth embodiment of the present invention as shown in Fig. 11 was explained as an example to clarify the structural relationship.

However, the structure of the present invention is not limited to the structure as explained therein. For example, as described on page 17, lines 7-13 of the specification:

"In this case, the driver may have a mover (214A, 214B) and the stator (212A, 212B) and the stator may be attached to the counter stage. In such a case, when the driver generates a drive force and, then, drives the mover together with the stage, the stator is moved to the opposite integrally with the counter stage by a reaction force of the drive force."

Further, as described on page 85, lines 9-13 of the specification, in this embodiment:

"A counter stage on the reticle side is constructed by the stators 212A and 212B. Separately from the stators, a counter stage, to which the stator is arranged, can be arranged."

Further, when the law of conservation of momentum is applied, as described on, page 34, lines 16-24 of the specification, "the movement amount of the reticle stage RST is determined by the weight ratio of the entire reticle stage RST and the entire stator", and the entire stator includes "the Stators 212A and 212B, the air bearing, and the like."

In Claims 46 and 58, the term "a counter stage" is used to express the entire stator. Namely, a counter stage is what moves in a direction opposite to a stage in accordance with movement of the stage according to the law of conservation of momentum. The counter stage may be made up of the stators and may include not only the stators but also air bearings, and other elements. Applicant respectfully submits that a person skilled in the art would understand what the counter stage is, and that in light of this discussion Claims 46 and 58 are definite. Thus, it is respectfully submitted that the 35 U.S.C. § 112, second paragraph, rejection should be removed.

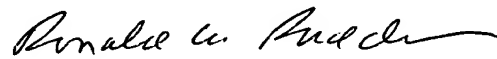
Regarding the rejection on the merits, the “ground” as described in col. 4, lines 19-30 of Hazelton et al (USP 6,252,234) was construed in the outstanding Office Action as corresponding to the damping member defined in Claims 28, 46 and 58 of the present application. However, the damping member in presently amended Claims 28, 46 and 58 differs from the ground of Hazelton et al in that the ground of Hazelton et al is not different from a base that supports the first transmitting member. Accordingly, Applicant submits that Hazelton et al do not disclose a first damping member different from a base that supports the first transmitting member, as defined in independent Claims 28, 46 and 58.

Thus, it is respectfully submitted that independent Claims 28, 46 and 58 and the claims dependent therefrom patentably define over the applied prior art.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in a condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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